THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 18278 of 2007

DATE: 28-08-2007

Between :

Smt. P.Rajyalaxmi

… Petitioner

And

The Revenue Divisional Officer,
Machilipatnam,
Krishna District and another.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 18278 of 2007

ORDER:

Petitioner is the authorized dealer of the fair price shop No.19 of Dindi village, Nagayalankia Mandal, Krishna District. By order dated 11-06-2007 passed by the first respondent-Revenue Divisional Officer, the petitioner's authorization was suspended pending enquiry into the allegations that the petitioner has violated clauses 17(b) and 17(c) of Andhra Pradesh State Public Distribution System Control Order, 2001.

Though the learned counsel for the petitioner raised various contentions, I am not inclined to express any opinion on merits, since the correctness of the allegations is the subject matter of the enquiry pending before the first respondent. Pending such enquiry, it is always open to the first respondent to suspend the authorization in public interest. Such discretionary order passed by the first respondent in public interest does not warrant interference by this Court under Article 226 of the Constitution of India.

However, having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to complete the enquiry, following due process of law, as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order. Keeping in view the ratio laid down by the Division Bench in

The Joint Collector, Kurnool v. A.Neelima[1]***,*** it is made clear that in case the enquiry is not completed within the time fixed above, the authorization of the petitioner shall stand restored. No costs.

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G. ROHINI, J.

Date:28-08-2007
KLP

[1] 1996(1) APLJ 285